

1647



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: JAMES M. LIPTON ET AL.

APPLICATION No.: 09/774,282

FILED: JANUARY 29, 2001

FOR: **A COMPOUND AND METHOD OF TREATMENT FOR FUNGAL PATHOLOGIES OF THE ORAL CAVITY**

EXAMINER: ROBERT LANDSMEN

ART UNIT: 1647

CONF. No.: 2528

#11
182
5/13/03

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SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

1. Timing of Submission

This IDS is believed to be timely in that it is being submitted under 37 CFR § 1.97(b), that is (1) within three months of the filing date of the application, which is not a continued prosecution application filed under § 1.53(d); or (2) within three months of entry of the national stage as set forth in 37 CFR § 1.491; or (3) before the mailing of a first Office action on the merits; or (4) before the mailing of a first Office action after filing a request for continued examination under § 1.114. Thus, no fee is required.

2. Cited Information

☒ Copies of the following references are enclosed:

- ☒ All cited references
- ☐ References marked by asterisks
- ☐ The following:

Certificate of Mailing

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage in an envelope addressed to the Assistant Commissioner for Patents, Washington, DC 20231.

March 17, 2003
Date of Deposit

Debbie Gilbert
Debbie Gilbert

- ☐ Copies of the following references can be found in parent U.S. Application No. :
- ☐ All cited references
 - ☐ References marked by asterisks
 - ☐ The following:
- ☐ The following references are not in English. For each such reference, the undersigned has enclosed: (i) a translation of the reference; (ii) a copy of a communication from a foreign patent office or International Searching Authority citing the reference; (iii) a copy of a reference which appears to be an English-language counterpart; or (iv) an English-language abstract for the reference prepared by a third party. Applicant has not verified that the translation, English-language counterpart or third-party abstract is an accurate representation of the teachings of the non-English reference, though, and reserves the right to demonstrate otherwise.
- ☐ All cited references
 - ☐ References marked by ampersands
 - ☐ The following:

3. Effect of Information Disclosure Statement (37 CFR 1.97(h))

This Information Disclosure Statement is not to be construed as a representation that: (i) a search has been made; (ii) additional information material to the examination of this application does not exist; (iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the cited information is, or is considered to be, material to patentability. In addition, applicant does not admit that any enclosed item of information constitutes prior art to the subject invention and specifically reserves the right to demonstrate that any such reference is not prior art.

4. Fee Payment

No fees are believed due. However, should the Commissioner determine that fees are due in order for this Information Disclosure Statement to be considered, the Commissioner is hereby authorized to charge such fees to Deposit Account No. 50-0665.


5. Patent Term Adjustment (37 CFR 1.704(d))

- ☐ The undersigned states that each item of information submitted herewith was cited in a communication from a foreign patent office in a counterpart application and that this communication was not received by

any individual designated in 37 C.F.R. §1.56(c) more than thirty days prior to the filing of this statement. 37 C.F.R. §1.704(d).

Respectfully submitted,

Perkins Coie LLP


Michael J. Wise
Registration No. 34,047

Date: 3/17/03

Correspondence Address:

Customer No. 34055
Perkins Coie LLP
P.O. Box 1208
Seattle, WA 98111-1208
Phone: (310) 788-9900
Fax: (310) 788-3399



ABPH18000C

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Anna Pia Catania
and James M. Lipton

Attorney Docket No. ABPH18000C

Title: **ANTIMICROBIAL AMINO ACID SEQUENCES DERIVED
FROM ALPHA-MELANOCYTE-STIMULATING HORMONE**

PRELIMINARY AMENDMENT

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Assistant Commissioners
for Patents
Box Applications
Washington, DC 20231

Sir:

Please amend the above-referenced application by inserting the following paragraph
before the "Technical Field":

CROSS REFERENCE TO RELATED APPLICATION

This application is a continuation of commonly owned PCT Patent Application Serial
No. PCT/US00/06917 filed March 17, 2000, which claims the priority of U.S. Patent Application
Serial No. 60/126,233 filed March 24, 1999, now abandoned.

Dated: September 21, 2001

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Respectfully submitted,

Todd E. Albanesi, Reg. 36,426
CRUTSINGER & BOOTH
1601 Elm Street, Suite 1950
Dallas, Texas 75201-4744
(214) 220-0444; Fax (214) 220-0445

Attorney for Applicant

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